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MDL No. 2323

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Civ. Action No. 14-00029-AB

1. On February 13, 2017, Co-Lead Class Counsel petitioned the Court to holdback 5% of all Monetary Awards to pay for past and future work implementing the settlement (ECF No. 7151) (the “Petition for Five Percent Holdback”). Because of this pending request, the Claims Administrator has been withholding 5% of all Monetary Awards for the Common Benefit Fund while awaiting the Court’s decision on this issue (the “5% Common Benefit Fund Holdback”).
2. On April 5, 2018, the Court entered a Memorandum (ECF No. 9860) reserving judgment on the holdback request in the Petition for Five Percent Holdback and directing the Claims Administrator to continue to withhold the 5% Common Benefit Fund Holdback.
3. To date, the Claims Administrator has withheld the 5% Common Benefit Fund Holdback in the Monetary Award Fund. The Court now orders that:
 - (a) The Claims Administrator shall release to the Attorneys’ Fees Qualified Settlement Fund established in accordance with Section 23.7 of the Settlement Agreement (the “AFQSF”) the funds that the Claims Administrator has withheld in the Monetary Award Fund for the 5% Common Benefit Fund Holdback to date, together with any investment earnings attributable to those funds while they were withheld in the Monetary Award Fund, as calculated by the Trustee under the Settlement Trust Agreement.

- (b) Going forward, the Claims Administrator shall release new funds withheld for the 5% Common Benefit Fund Holdback to the AFQSF as part of the monthly disbursement from the Monetary Award Fund.

SO ORDERED this __27th__ day of June, 2018.

s/Anita B. Brody

Anita B. Brody
United States District Court Judge

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